

REMARKS

Claims 25-30 and 41-54 are presented for consideration, with Claims 25, 30, 44, 49, 53 and 54 being independent.

The independent claims have been amended to further distinguish Applicant's invention from the cited art. In addition, selected claims have been amended to better set forth Applicant's invention.

Initially, Claims 44-52 stand rejected under 35 U.S.C. §101. Without conceding to the propriety of this rejection, Claims 44 and 49 have been amended to set forth that the method steps are performed on a computer. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §101 is respectfully requested.

Claims 25, 28, 29, 30, 44, 47-51, 53 and 54 stand rejected 35 U.S.C. §103 as allegedly being obvious over Gondek '990 in view of Asami '007. The remaining claims stand rejected as allegedly being obvious over those citations and further in view of Aschman '578 (Claims 26 and 45), or Sanger '601 and Kakutani '212 (Claims 27, 43, 46 and 52). These rejections are respectfully traversed.

Claim 25 of Applicant's invention relates to an image processing apparatus comprising a first unit for converting primary color data into color data for outputting a dark color material only in a first mode, wherein the primary color has any two of maximum values and one of minimum values of colors R, G and B, and a second unit for controlling the primary color data having any two of maximum values and one of minimum values of colors R, G and B into color data for outputting both the dark color material and a light color material in a second mode. The color data converted from the primary color data in the second mode is color data for outputting

both the dark color material corresponding to a complementary color of the minimum value of colors and light material other than the complementary color of the minimum value of colors.

In accordance with Applicant's invention, a high performance image processing apparatus can be provided.

As discussed in the Request for Reconsideration filed February 16, 2010, the Gondek patent relates to an inkjet printing system and method capable of converting R, G and B images using a conversion table. The Office Action asserts that Gondek discloses a first unit for converting primary color data into color data for outputting a dark color material only in a first mode (relying on R, G, B = 8, 8, 0 and R, G, B = 8, 0, 8), and acknowledges that Gondek, in a second unit, converts primary color data having only one maximum value and one minimum value of colors R, G and B for outputting both dark color material and light color material.

The secondary citation to Asami is relied on for allegedly compensating for the deficiencies in Gondek, and is said to disclose that when a dark color material and a light color material are output, primary color data has any two of maximum values and one of minimum values of colors R, G and B. This assertion is respectfully traversed.

Asami relates to a method for carrying out digital exposure on photosensitive material, such as photographic silver halide photosensitive material. Laser diodes (LD) and solid state lasers are two types of light sources used in the image forming process (column 9, lines 41-64). In order to consistently produced delicate shades of color, Asami permits sole exposure to, for example, a magenta (M) color generating LD to induce color generation of magenta at a high density as well as to accurately and stably control color generation of cyan at a very low density (column 14, lines 40-44). The Office Action asserts, on page 5, that since a magenta light corresponds to a color made of a maximum R value and B value and a minimum of G, an output

of magenta plus light cyan is generated when an input has two maximum values of R and B and a minimum value G.

It is respectfully submitted, however, that Asami lacks such a teaching, that of generating a magenta plus light cyan when an input is two maximum values of R and B and a minimum value G. In this regard, Asami is not understood to teach or suggest what type of R, G, B signal is used to realize the sole exposure to the M color generating LD, but merely discussed, in general, several image conversion systems (see column 10, line 60 through column 11, line 16). It is submitted, therefore, the proposed combination of Gondek and Asami, even if proper, still fails to teach or suggest Applicant's claimed invention.

What is more, even if Asami would have disclosed a second unit as set forth in Claim 25 of Applicant's invention, there is no motivation, absent impermissible hindsight, to combine Asami and Gondek, as they are directed to completely different aspects of the imaging process. It is respectfully submitted, in this regard, that the rationale set forth on page 5 of the Office Action for combining Gondek and Asami is lacking in objective reasoning to combine the teachings of these two references and thus fails to establish a *prima facie* case on obviousness.

It is therefore submitted that Claim 25 is patentable over the cited art. Independent Claims 44 and 53 relate to an image processing method and a computer readable medium, respectively, and correspond to Claim 25. These claims are thus also submitted to be patentable over the proposed combination of art.

In Claim 30, an image processing apparatus for forming an image by using the dark color materials and light color materials includes a first unit for forming an image by using just the dark color material for reproducing primary color data in a first mode, with the primary color having any two of maximum values and one of minimum value of colors R, G and B.

Additionally, a second unit forms an image by using the dark color material and a light color material having a different color from the dark color material for reproducing the primary color data having any two of maximum values and one of minimum values of colors R, G and B in a second mode, wherein the image formed in the second mode is formed by using both the dark color material corresponding to a complementary color of the minimum value of colors and light material other than the complementary color of the minimum value of colors. Independent Claims 49 and 54 relate to an image processing method and a computer readable recording method, respectively, and correspond to Claim 30.

It is respectfully submitted that the deficiencies in Gondek and Asami as discussed above also establishes the patentability of Applicant's invention as set forth in Claims 30, 49 and 54.

The Aschman citation relates to an image processing apparatus and is relied on for its teaching of a fast printing unit. The Sanger citation relates to a printing apparatus and was cited for its teaching of a color matching mode. Lastly, Kakutani relates to a printing system and is relied on for teaching a mode for lowering granularity. These tertiary citations fail, however, to compensate for the deficiencies in both Gondek and Asami as discussed above.

Accordingly, without conceding to the propriety of combining the art in the manner proposed in the Office Action, reconsideration and withdrawal of the rejections of Claims 26, 27, 43, 45, 46 and 52 under 35 U.S.C. §103 is respectfully requested.

Thus, it is submitted that Applicant's invention as set forth in independent Claims 25, 30, 44, 49, 53 and 54 is patentable over the cited art. In addition, dependent Claims 26-29, 41-43, 45-48 and 50-52 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

REQUEST FOR INTERVIEW

Applicant respectfully request an interview in the subject application. Applicant's undersigned representative will contact the Examiner within one week's time for the purpose of scheduling the interview.

CONCLUSION

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Scott D. Malpede/

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